

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2010 APR 13 PM 2: 53
OFFICE OF THE CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$137,080.00 IN UNITED STATES
CURRENCY,

Defendant.

8:09CV274

ORDER

NOW ON THIS 13th ^{April} day of ~~March~~, 2010, this matter comes on before the Court upon the Stipulation of the parties (Filing No. 19). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. Seven thousand eighty dollars of the Defendant property should be returned to the Claimant, Donna J. Moore, by delivering the same to the trust account of her attorney of record, Chad J. Wythers.

2. Pursuant to this Court's Order dated August 14, 2009 (Filing No. 6), the United States has published notice of its intent to dispose of the property in such a manner as the Attorney General may direct. A Declaration of Publication was filed herein on December 21, 2009 (Filing No. 14). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant property.

3. The balance of the Defendant property, viz., \$130,000.00, should be forfeited to the United States.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. Seven thousand eighty dollars of the Defendant property shall be returned to the Claimant, Donna J. Moore, by delivering the same to her attorney of record, Chad J. Wythers. The Marshal shall deliver said amount by making payment to Chad J. Wythers' Trust Account.

C. Pursuant to this Court's Order dated August 14, 2009 (Filing No. 6), the United States has published notice of its intent to dispose of the property in such a manner as the Attorney General may direct. A Declaration of Publication was filed herein on December 21, 2009 (Filing No. 14). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject property.

D. The remaining Defendant property, *viz.*, \$130,000.00, is hereby forfeited to the United States. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

E. The Marshal shall dispose of said \$130,000.00 in accordance with law.

F. Upon Mr. Wythers' receipt of the \$7,080.00, as mentioned above, he shall file a Receipt for said amount. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Warren Urbom", is written over a horizontal line.

Warren Urbom

UNITED STATES DISTRICT JUDGE

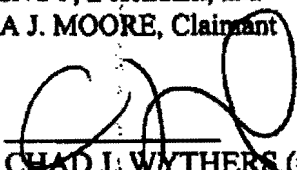
Prepared and submitted by:

Nancy A. Svoboda (#17429)
Attorney for the Plaintiff
1620 Dodge Street, Suite 1400
Omaha, Nebraska 68102-1506
(402) 661-3700

Approved as to form and content:

\$137,080.00 IN UNITED STATES
CURRENCY, Defendant, and
DONNA J. MOORE, Claimant

By:



CHAD J. WYTHERS (#22383)
Attorney at Law
2652 North 48th Street
Lincoln, NE 68504
(402) 341-0700